



44995 (P-6028)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Nicholas R. Bachur Jr. et al.

Serial No.: 10/699,835
Filed: November 4, 2003
For: Apparatus And Method For Using Optical
Mouse Engine To Determine Speed, Direction,
Position Of Scanned Device And To Obtain
Quantitative Or Qualitative Data From Same

: Group Art Unit: 2624

: Examiner: Bitar, Nancy

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment of June 19, 2007, copy attached, the Applicants herewith attach a copy of the Amendment and Response to Office Action that was filed at the U.S. Patent and Trademark Office on June 8, 2007, including an itemized postcard receipt having an OIPE received date stamp of June 8, 2007. The extension fee of \$450 was attached to the Amendment and Response to Office Action that was filed at the U.S. Patent and Trademark Office on June 8, 2007, and no fees are believed to be due with this response to Notice of Non-Compliant Amendment. However, if any fees are required, the Director is hereby authorized to charge the fees to Deposit Account No. 18-2220.

Respectfully submitted,

Dated: July 3, 2007

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UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

RSG

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,835	11/04/2003	Nicholas R. Bachur JR.	44995	5572

7590 06/19/2007

Stacey J. Longanecker
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EXAMINER

BITAR, NANCY

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

06/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Doc'd JNP File 44995
Rec'd
Response due: 19 JUL 07
JUN 21 2007
ROYLANCE, ABRAMS
BERDO & GOODMAN, L.L.P.
BY MH



Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.	10/699835	Applicant(s)
Examiner	Bitar, Nancy	Art Unit
2624		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 6-8-07 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: Pages 5-7 are missing.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognnotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE)

571 272-7273

Telephone No.

Part of Paper No.



Due Date June 25, 2007 Today's Date June 8, 2007

USSN/USP 10/699,835 RAB&G FILE NO. 44935 BY: PSG, eb

In Re Nicholas R. Bachur Jr. et al.

For Apparatus and Method for Using Optical Mouse Engine to Determine Speed, Direction

The following was received in the US Patent & Trademark Office on the date stamped hereon:

Check for \$ 450.00
 Specification _____ pgs. _____ claims
 Combined Decl., Petition & Power
 Assignment
 Drawings _____ Sheets Formal Informal
 Small Entity Statement
 Claim for Priority & Document
 Information Disclosure Statement
 Trademark Application & _____ Specimens
 Rule 53(b) Appln. Rule 53(d) Appln. (CPA)

Amendment & Response
 Notice of Appeal
 Brief Req. Oral Hearing
 Issue Fee Transmittal
 Trademark Renewal Application
 Decl. of Use 8 15
 Petition to Extend 2 mos./day
 Completion of Application

 Due Date Not Related To Response

